

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**CHRISTIAN M. SMITHSON,**  
**Plaintiff**

**v.**

**MARIAH BRITTANY RIZZO, et al.,**  
**Defendants**

:  
:  
:  
:  
:  
:  
:  
:

**No. 1:14-cv-2073**

**(Judge Kane)**

**(Magistrate Judge Carlson)**

**ORDER**

**AND NOW**, on this 7th day of April 2015, **IT IS HEREBY ORDERED THAT:**

1. Magistrate Judge Carlson's Report and Recommendations (Doc. Nos. 27, 28) are **ADOPTED**;
2. Plaintiff's objections (Doc. Nos. 29, 30) are **OVERRULED**;
3. Counts I and II of Plaintiff's complaint, seeking monetary damages under the Pennsylvania Constitution, are **DISMISSED WITH PREJUDICE**;
4. Plaintiff's motion for preliminary injunctive relief (Doc. No. 4) is **DENIED**; and,
5. The case is referred back to Magistrate Judge Saporito for pre-trial management, including resolution of any pending motions or, if necessary, a Report and Recommendation on same.

S/ Yvette Kane

Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania